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Attorney for Plaintiff, Nathan Byrd

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

Case No. [06-07112 CRB]

MDL NO. 1699

District Judge: Charles R. Breyer

Nathan Byrd,

Plaintiff,

vs.

Pfizer Inc, et al.

Defendants.

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

Come now the Plaintiff(s), Nathan Byrd, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.

1 DATED: 9/9, 2009

THE MULLIGAN LAW FIRM

2 By:   
3 Patrick J. Mulligan  
4 Attorney for Plaintiff, Nathan Byrd

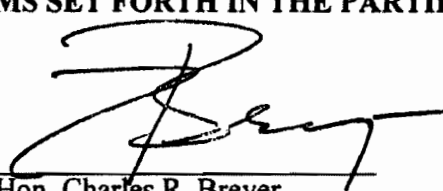
5 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

6 By: /s/  
7 Matt Holian  
8 Attorneys for Defendants

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11 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
12 IT IS SO ORDERED.**

13 Dated: OCT 28 2009

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15 Hon. Charles R. Breyer  
16 United States District Court  
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